**Calendar No. 365**

102D CONGRESS *1st Session* | SENATE | REPORT 102-240

# MICHIGAN SCENIC RIVERS ACT OF 1991

NOVEMBER 23 (legislative day, NOVEMBER 20), 1991.—Ordered to be printed

Mr. JOHNSTON, from the Committee on Energy and Natural Resources, submitted the following

## REPORT

[To accompany H.R. 476]

The Committee on Energy and Natural Resources, to which was referred the Act (H.R. 476) to designate certain rivers in the State of Michigan as components of the National Wild and Scenic Rivers System, and for other purposes, having considered the same, reports favorably thereon with amendments and recommends that the Act as amended do pass.

The amendments are as follows:

1. On page 11, line 10, strike "river." and insert in lieu thereof, "river.".".

2. On page 11, strike lines 11 through 17 in their entirety.

3. On page 11, after line 21, insert the following:

> ( ) BRULE, MICHIGAN AND WISCONSIN.—The 33-mile segment from Brule Lake in the northeast quarter of section 15, township 41 north, range 13 east, to the National Forest boundary at the southeast quarter of section 21, township 41 north, range 17 east.

4. On page 15, line 8, strike "Carp," and insert in lieu thereof, "Brule, Carp,".

5. On page 17, after line 20, insert the following new subsection:

> (g) BRULE RIVER STUDY COMMITTEE.—For the purposes of the Brule River Study Committee established pursuant to subsection (a), any reference in this section to the State of Michigan shall be deemed to be a reference to the State of Michigan and the State of Wisconsin.

59-010

S313-54

6. On page 19, line 5, strike "(16 U.S.C. 1261(b))" and insert in lieu thereof, "(16 U.S.C. 1277(b))".

## Purpose of the Measure

The purpose of H.R. 476, as ordered reported, is to designate certain river segments in the State of Michigan as components of the National Wild and Scenic Rivers System and to provide for the study of other river segments in the State for possible inclusion in the system.

## Background and Need

With the enactment of the Wild and Scenic Rivers Act in 1968, Congress established a national policy for the protection of certain rivers in the United States. The Wild and Scenic Rivers Act provides that rivers which possess outstandingly remarkable scenic, recreational, geologic, fish and wildlife, historic, cultural, or other similar values, should be preserved in a free-flowing condition, and that the rivers and their immediate environments should be protected for the benefit and enjoyment of present and future generations. Currently, portions of 125 rivers have been designated as components of the National Wild and Scenic Rivers System.

In 1982 the Department of the Interior released a Nationwide Rivers Inventory, which identified some 62,000 miles of rivers in the United States for possible inclusion in the National Wild and Scenic Rivers System. In addition, the Forest Service, in its land management planning process, has been evaluating rivers located within National Forests for potential addition to the Wild and Scenic Rivers System, as required by section 5(d) of the Wild and Scenic Rivers Act.

Currently in Michigan, 66.4 miles of the Pere Marquette River and 23 miles of the Au Sable River have been designated as components of the Wild and Scenic Rivers System. The Manistee River has also been designated for study for potential addition to the system. Of the almost 36,000 miles of rivers within the State, many segments have been identified in the Nationwide Rivers Inventory and the Land and Resource Management Plans for the four National Forests in Michigan as containing values consistent with inclusion in the National Wild and Scenic Rivers System.

H.R. 476 would designate segments of 14 new rivers within Michigan as components of the Wild and Scenic Rivers System. The combined length of these river segments is approximately 530 miles. In addition, the legislation would designate segments of another 11 rivers in the State, totaling approximately 456 miles, for study for potential addition to the system.

## Legislative History

H.R. 476 passed the House of Representatives by a voice vote on June 3, 1991. Companion legislation, S. 209, was introduced by Senator Riegle on January 14, 1991. The Subcommittee on Public Lands, National Parks and Forests held a hearing on H.R. 476 and S. 209 on October 15, 1991.

At the business meeting on November 20, 1991, the Committee on Energy and Natural Resources ordered H.R. 476, as amended, favorably reported.

## Committee Recommendations and Tabulation of Votes

The Committee on Energy and Natural Resources, in open business session on November 20, 1991, by a unanimous vote of a quorum present, recommends that the Senate pass H.R. 476, if amended as described herein.

The rollcall vote on reporting the measure was 20 yeas, 0 nays, as follows:

| YEAS | NAYS |
|---|---|
| Mr. Johnston | |
| Mr. Bumpers | |
| Mr. Ford | |
| Mr. Bradley | |
| Mr. Bingaman [1] | |
| Mr. Wirth | |
| Mr. Conrad [1] | |
| Mr. Akaka [1] | |
| Mr. Fowler [1] | |
| Mr. Shelby [1] | |
| Mr. Wellstone | |
| Mr. Wallop | |
| Mr. Hatfield [1] | |
| Mr. Domenici | |
| Mr. Murkowski | |
| Mr. Nickles | |
| Mr. Burns | |
| Mr. Craig | |
| Mr. Seymour | |
| Mr. Garn | |

[1] Indicates voted by proxy.

## Committee Amendments

During the consideration of H.R. 476, the Committee adopted six amendments. The designation of the Brule River, on the Michigan-Wisconsin border, is changed from a component of the Wild and Scenic Rivers System to designation for study for potential addition to the system. The remainder of the amendments make technical clarifying or conforming changes.

## Section-by-Section Analysis

Section 1 entitles the Act the "Michigan Scenic Rivers Act of 1991."

Section 2 contains the Congressional findings.

Section 3 adds segments of 14 rivers in Michigan, totalling approximately 530 miles, as components of the National Wild and Scenic Rivers System. The rivers to be added to the system include—

6.5 miles of Big Bear Creek;
14 miles of the Black River;

35.4 miles of the Carp River;
51 miles of the Indian River;
26 miles of the Manistee River;
142.4 miles of the Ontonagon River;
51 miles of the Paint River;
25 miles of the Pine River;
57 miles of the Presque Isle River and its tributaries;
43.9 miles of the Sturgeon River in the Hiawatha National Forest;
25 miles of the Sturgeon River in the Ottawa National Forest;
13.2 miles of the East Branch of the Tahquamenon River;
35.6 miles of the Whitefish River; and
4 miles of the Yellow Dog River.

Section 4 designates 11 river segments in Michigan, totaling approximately 456.6 miles, for study for possible inclusion in the Wild and Scenic Rivers System. The river segments to be studied include—

33 miles of the Brule River;
7.6 miles of the Carp River;
42 miles of the Little Manistee River;
75.4 miles of the White River;
32 miles of the Ontonagon River;
70 miles of the Paint River;
13 miles of the Presque Isle River;
54.1 miles of the Sturgeon River;
103.5 miles of the Tahquamenon River; and
26 miles of the Whitefish River.

Section 5 establishes a study committee for each of the rivers designated for study in section 4. Each study committee is to consist of 9 members, representing recommendations made by the Secretary of Agriculture, the Governor of Michigan (or with respect to the Brule River, the Governors of Michigan and Wisconsin), local conservation and environmental groups, local communities, and commercial timber interests. The purpose of the committees is to advise the Secretary in the preparation of the study report for the specific river segment. Each committee is to terminate upon submission of the report to Congress.

Section 6 contains several miscellaneous provisions with respect to the administration of the rivers.

Subsection (a) clarifies that nothing in this Act shall be construed to enlarge, diminish, or modify the jurisdiction or the responsibilities of the State of Michigan with respect to the management of fish and wildlife activities.

Subsection (b) provides that notwithstanding any other provision of law, the installation and operation of lamprey eel control facilities shall be permitted within river segments designated by this Act, subject to restrictions and conditions set by the Secretary of Agriculture.

Subsection (c) directs the Secretary to maintain traditional public access to the river segments designated by this Act, although the Secretary is authorized to alter or close access if necessary for the management of the river segments.

Subsection (d) makes clear that this Act does not affect the limitations on the acquisition of lands as set forth in section 6(b) of the Wild and Scenic Rivers Act.

The Committee is aware of the concern expressed by some parties of the potential effect that designation of certain rivers as components of the Wild and Scenic Rivers System may have on ongoing stream restoration and improvement projects in the State of Michigan. The Committee notes the importance of these projects in restoring damaged riparian areas and improving water quality and aquatic habitat. In the Committee's view, such projects are not inconsistent with Wild and Scenic River designation, and in fact, similar projects have been successfully completed on Wild and Scenic River segments throughout the nation. The Committee directs the Forest Service to develop a consistent and coordinated policy permitting the implementation of such projects within Wild and Scenic River segments in order to avoid unnecessary concern and confusion.

Section 7 authorizes the appropriation of such sums as are necessary to carry out the purposes of the Act.

## Cost and Budgetary Considerations

The following estimate of the cost of this measure has been provided by the Congressional Budget Office:

U.S. Congress,
Congressional Budget Office,
*Washington, DC, November 20, 1991.*

Hon. J. Bennett Johnston,
*Chairman, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.*

Dear Mr. Chairman: The Congressional Budget Office has reviewed H.R. 476, the Michigan Scenic Rivers Act of 1991, as ordered reported by the Senate Committee on Energy and Natural Resources on November 20, 1991. We estimate that enactment of this legislation would result in additional planning, study, and operating costs totaling $500,000 in 1992 and $2 million over the 1992–1996 period, assuming appropriation of the necessary amounts. Enactment of H.R. 476 would not affect direct spending or receipts. Therefore, pay-as-you-go procedures would not apply to this act.

H.R. 476 would add about 535 miles of river in the State of Michigan to the wild and scenic river system and would grant study status to another 457 miles of river in the state. Planning activities and studies would be conducted over a three-year period. The U.S. Department of Agriculture (USDA) would be required to establish and provide technical assistance to local committees, which would advise the agency on the river studies. H.R. 476 would authorize the appropriation of whatever sums are necessary to carry out these activities.

Based on information provided by USDA, CBO estimates that enactment of H.R. 476 would result in additional planning costs of $200,000 in 1992 and another $500,000 over the following two years. Additional study costs would total about $250,000 in 1992 and an-

other $500,000 over the following two years. Annual operating costs would start at about $50,000 and rise to $100,000, totaling $400,000 over the 1992–1996 period.

Enactment of H.R. 476 would not affect the budgets of state or local governments.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Theresa Gullo, who can be reached at 226–2860.

Sincerely,

ROBERT D. REISCHAUER,
*Director.*

## REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out H.R. 476. The Act is not a regulatory measure in the sense of imposing Government-established standards or significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy.

Little, if any addition paperwork would result from the enactment of H.R. 476, as ordered reported.

## EXECUTIVE COMMUNICATIONS

On October 2, 1991, the Committee on Energy and Natural Resources requested legislative reports from the Department of Agriculture, the Federal Energy Regulatory Commission and the Office of Management and Budget setting forth Executive agency recommendations on H.R. 476. The views provided by the Federal Energy Regulatory Commission are set forth below. The report from the Department of Agriculture has not been received at the time the report on H.R. 476 was filed. When the report becomes available, the Chairman will request that it be printed in the Congressional Record for the advice of the Senate. The testimony provided by the Forest Service at the Subcommittee hearing follows:

FEDERAL ENERGY REGULATORY COMMISSION,
*Washington, DC, November 19, 1991.*

Hon. J. BENNETT JOHNSTON,
*Chairman, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.*

DEAR CHAIRMAN JOHNSTON: Thank you for your letter of October 2, 1991, requesting comments on H.R. 476, a bill to designate certain segments of rivers in the State of Michigan as Components of the National Wild and Scenic Rivers System and to designate certain other river segments in the State of Michigan as study areas for inclusion in the National Wild and Scenic Rivers System. Enclosed is a Commission staff report on the bill, which I hope will be useful in your consideration of H.R. 476.

I appreciate your inquiry. If I can be of further assistance in this matter, please do not hesitate to contact me.

Yours truly,

MARTIN L. ALLDAY.

Enclosure.

REPORT ON H.R. 476, 102D CONG., 1ST SESS., A BILL TO DESIGNATE CERTAIN RIVERS IN THE STATE OF MICHIGAN AS COMPONENTS OF THE NATIONAL WILD AND SCENIC RIVERS SYSTEM AND TO DESIGNATE CERTAIN RIVERS IN THE STATE OF MICHIGAN AS STUDY AREAS FOR INCLUSION IN THE NATIONAL WILD AND SCENIC RIVERS SYSTEM

On June 5, 1991, H.R. 476 was received by the Senate, after being passed by the House of Representatives on June 3, 1991. Section 3 of the bill would amend Section 3(a) of the Wild and Scenic Rivers Act (Rivers Act), 16 U.S.C. § 1274(a), to add a number of river segments to the list of component rivers of the Wild and Scenic Rivers System (System).

EFFECT OF H.R. 476, IF ENACTED, ON APPLICATIONS FILED WITH THE COMMISSION PROPOSING HYDROPOWER DEVELOPMENT AND ON PRELIMINARY PERMITS, LICENSES AND EXEMPTIONS THAT HAVE BEEN ISSUED BY THE COMMISSION

Pursuant to Sections 7 (a) and (b) of the Rivers Act, 16 U.S.C. § 1278 (a) and (b), the Commission is prohibited from licensing the construction of any dam, water conduit, reservoir, powerhouse, transmission line, or other project works that woud be on or directly affecting a river designated in Section 3(a) of the Rivers Act as part of the System (Component River), or a river designated by section 5(a) of the Rivers Act for study for potential addition to the System (Study River), respectively. Sections 7 (a) and (b), through a limitation on the first prohibition, also prohibit the Commission from licensing project works above or below a Component River or Study River or on a stream tributary thereto if the project works would invade or diminish the scenic, recreational, and fish and wildlife values present in the Component River or Study River.

The Commission has interpreted the prohibitions on licensing of Sections 7 (a) and (b) as applying to issuance of exemptions. See e.g., *Swanson Mining Corp.*, 22 FERC ¶ 61,184 (1983), *reh'g denied*, 30 FERC ¶ 61,109 (1985), *aff'd*, 790 F.2d 96 (D.C. Cir. 1986). The Commission has determined that it is the responsibility of the administering Secretary to make determinations regarding the consistency of a proposed project with the provisions of the Rivers Act. See *China Flat Company*, 27 FERC ¶ 61,024 (1984). Since Sections 7 (a) and (b) prohibit only the authorization of construction, the Commission has held that it can issue preliminary permits authorizing the study (but not the construction) of projects to be located on or directly affecting Component Rivers and Study Rivers, but the Commis-

sion advises permittees that they must reconfigure the project to eliminate any conflict with Component Rivers. See, e.g., *Modesto Irrigation District,* 17 FERC ¶ 61,144 (1981).

Commission records show that the following projects could be affected by H.R. 476:

The licensed Victoria Project No. 1864, consisting of four developments, is located on the Cisco, West, and Middle Branches of the Ontonagon River. Section 3 of H.R. 476 would designate as a component river "the 10-mile segment from the origin of Cisco Branch Ontonagon at Cisco Lake Dam to the County Road 527 crossing." The Cisco development is located at the upstream terminus of this segment. Section 3 of H.R. 476 would designate as a component river "the 8-mile segment [of the Middle Branch Ontonagon] from Burned Dam to Bond Falls Flowage" and "the 8-mile segment [of the Middle Branch] from Bond Falls to Agate Falls." The Bonds Falls development is located between these segments. Section 3 of H.R. 476 would designate as a componet river "the 4.5-mile segment [of the West Branch Ontonagon] from its confluence with the South Branch to Victoria Reservoir." The Victoria development is located at the downstream terminus of this segment. An application to relicense Project No. 1864 is pending.

The licensed Prickett Project No. 2402 is located on the Sturgeon River in the Ottawa National Forest. Section 3 of H.R. 476 would designate as a component river "the 16.5-mile segment from its entry into the Ottawa National Forest to Prickett Lake" and "the 8.5-mile segment from the outlet of Prickett Lake Dam to the northern boundary of the Ottawa National Forest." The Prickett Project is located between these segments.

The licensed Tippy Project No. 2580 is located on the Manistee River. Section 3 of H.R. 476 would designate as a component river "the 26-mile segment from the Michigan DNR boat ramp below Tippy Dam to the Michigan State Highway 55 bridge." It is unclear whether Project No. 2580 would be affected by H.R. 476. Michigan DNR operates two boat ramps which are located below the Tippy Dam. One boat ramp is located immediately below the dam and is within the project boundary for Project No. 2580. The other boat ramp is located farther downstream, at the crossing of High Bridge Road (Route 669), and is not within the project boundary.

The unlicensed Crystal Falls Project is located on the Paint River a short distance above the City of Crystal Falls. Section 4 of H.R. 476 would designate as a study river the "34 miles of the mainstream beginning at the eastern boundary of the Ottawa National Forest in section 1, township 44 north, range 35 west, to the city of Crystal Falls." The Crystal Falls Project is located within this river segment, a short distance above the downstream terminus. On April 13, 1989, the Commission found that the

Crystal Falls Project is required to be licensed pursuant to Section 23(b)(1) of the Federal Power Act. 47 FERC ¶62,029. The City of Crystal Falls, owner of the project, is required to file an application for license for this project by April 12, 1993.

STATEMENT OF LARRY HENSON, ASSOCIATE DEPUTY CHIEF, FOREST SERVICE, U.S. DEPARTMENT OF AGRICULTURE

—Mr. Chairman and members of the subcommittee, I appreciate the opportunity to present the views of the Department of Agriculture regarding S. 1743, the "Arkansas Wild and Scenic Rivers Act of 1991," and S. 209/H.R. 476, the "Michigan Scenic Rivers Act of 1991."

Mr. Chairman, the Forest Service proudly administers 70 designated wild and scenic rivers as part of America's Great Outdoors—the National Forests. These rivers, totaling over 3,417 miles, contain outstanding scenic, recreational, geologic, fish and wildlife, historic, cultural, and other significant values. We have a strong commitment to the National Wild and Scenic Rivers System.

I would like to briefly address each bill and then I would be glad to answer your questions.

S. 1743, THE "ARKANSAS WILD AND SCENIC RIVERS ACT OF 1991"

Mr. Chairman, I would like to express my appreciation for the efforts you and other members of the Arkansas delegation have made to incorporate the resource and technical information you requested from the Forest Service as S. 1743 was developed.

The Department of Agriculture supports the enactment of S. 1743, if amended to include the minor technical corrections described in Supplemental Statement "A". Otherwise, we support the bill as written.

S. 1743 would designate 191.5 miles of eight streams. These would be the first rivers in the Wild and Scenic Rivers System in the State of Arkansas.

A total of 186.9 miles of these streams are within the Ozark and Ouachita National Forests, and our comments are directed to these National Forest rivers. The other 4.6-mile segment, on the Cossatot River, is administered by the Corps of Engineers, and we defer to the Department of the Army regarding that segment.

The 186.9 miles of National Forest rivers included in this legislation have been studied by the Ozark and Ouachita National Forests to determine their eligibility and suitability for Wild and Scenic River designation, along with a number of other rivers on the two Forests. The rivers which would be designated by S. 1743 match exactly the recommendations from our studies, and we are pleased to support their inclusion in the Wild and Scenic Rivers System.

The recommended rivers provide excellent recreational opportunities as they are close to eight major population centers. Recreational use in the river corridors and adjacent development recreation sites is expected to increase if the rivers are designated.

Designation of these river segments would not have a significant adverse effect on other resource values. There are no proposed water resource developments on the river segments proposed for designation. Oil and gas production would not be affected, and the impact on future mineral development would be very minor. Potential timber harvest would not be significantly reduced.

Section 3 of S. 1743 would designate 10.7 miles of the Cossatot River and its Brushy Creek tributary outside the National Forest boundary. We have reviewed the application submitted by Governor Clinton to the Secretary of the Interior for designation of that segment of the Cossatot River under Section 2(a)(ii) of the Wild and Scenic Rivers Act. We support that designation, as the river has been jointly studied by the State of Arkansas, the Forest Service, and the Corps of Engineers, and we look forward to continuing that cooperative effort in management of the Cossatot as a Wild and Scenic River.

In summary, we are pleased to support the addition of these high-quality rivers to the National Wild and Scenic Rivers System. This completes my statement on S. 1743.

S. 209/H.R. 476, THE "MICHIGAN SCENIC RIVERS ACT OF 1991"

Turning now to the Michigan legislation, it is our understanding that the focus of the hearing today is on H.R. 476, as passed by the House, rather than S. 209. The House-passed bill contains many amendments which we recommended that are not included in S. 209. The Department of Agriculture supports H.R. 476, as amended, but recommends additional amendments to address our remaining concerns.

H.R. 476, as amended in the House, would designate 570 miles of 15 rivers. We recommend designation for 576 miles of these same 15 rivers. We also suggest further review of several of the current segment classifications, as listed below. In addition, we suggest amendments to deal with some remaining management issues. The proposed amendments regarding these issues, as well as several minor technical amendments, are presented, with supporting rationale, in our Supplemental Statement "B", which we request be included as part of the record.

*Section 3—Designated rivers*

We support designation of Bear Creek and the Black, Carp, Indian, Manistee, Paint, Pine, Sturgeon (Hiawatha National Forest), East Branch Tahquamenon, Yellow Dog, Whitefish, and Brule Rivers as proposed in section 3 of H.R. 476.

We recommend that the classifications for certain segments of the Ontonagon, Presque Isle, and Sturgeon (Ottawa National Forest) Rivers be amended to accurately reflect on-the-ground conditions.

Regarding the Ontonagon River system, we recommend deleting the upper 12 miles of the Cisco Branch, as we do not believe it possesses the outstandingly remarkable characteristics necessary for designation. Streamflow is very low to non-existent from June through September due to upstream dams. We do, however, recommend the designation of 17 miles of the South Branch of the Ontonagon, currently listed for study. We believe these segments within the National Forest Boundary are eligible and suitable, and that further study is unnecessary.

*Section 4—Study rivers*

Regarding section 4 of H.R. 476, we agree studies are needed for portions of each of the study rivers listed. However, we recommend deleting upper 12 miles of the West Branch Ontonagon River, as we do not believe it possesses characteristics suitable for designation due to low to non-existent flows during the summer.

The Paint, Sturgeon, Tahquamenon, and Whitefish study rivers are entirely outside the National Forest boundaries and flow through State and private lands. In addition, if the Committee adopts our recommendations to immediately designate rather than study certain segments of the Ontonagon, only 14.5 miles of the South Branch Ontonagon would remain as a study river. This segment of the South Branch is also outside the National Forest boundary. Rather than requiring the Secretary of Agriculture to study these rivers, we believe a better approach would be for the State of Michigan and the Secretary to cooperatively conduct these studies. Such an approach would undoubtedly result in higher quality studies, and we believe this is more appropriate where the land ownership is predominantly State and private.

*Need for stream restoration*

Turn-of-the century log drives on many Michigan rivers caused extensive stream channel damage. Many natural components of the river system, such as large fallen trees, were removed, taking with them stream stability and aquatic habitat. Eroding watersheds and stream banks have caused significant sedimentation.

Restoration work, including reconstruction of spawning habitat, wood cover structures along the banks, the placement of large woody debris (large trees), and stabilization of eroding banks, has been underway for some time. This work has been a cooperative effort involving many sports organizations, riparian landowners associations, the State of Michigan, and the Forest Service. This work has been strongly supported in the State of Michigan by many public groups and cooperating agencies. If amended as we

recommended, the Forest Service would continue to support these restoration efforts in designated rivers which suffered degradation from past human activities.

In our testimony before the House Interior and Insular Affairs Committee in April 1991, we recommended that H.R. 476 be amended to clearly authorize the use of structural and nonstructural techniques to restore the aquatic habitat and other values of some of the Michigan rivers included for designation in the bill. Our objective was to clarify the legal authorization for use of these techniques and avoid possible conflicts with the Wild and Scenic Rivers Act, particularly the definition of "free flowing" in Section 16, and the direction regarding water resource projects in Section 7.

We are pleased to note in the House Committee Report (No. 102-84) of June 3, 1991, that the importance of fisheries and aquatic ecosystems in these rivers is recognized and the use of structural and nonstructural efforts is endorsed to correct significant water quality problems, restore aquatic habitat or correct other ecological degradation caused by past human activity. We believe the House Committee Report helps clarify that such restoration activities are permissible so long as they do not have an adverse impact on the values for which the rivers are designated.

However, even though this issue is addressed in the House Committee Report, continuing concerns have been voiced by various organizations and agencies, including our own Office of the General Counsel, about possible conflicts between Wild and Scenic Rivers designation and stream restoration work. This indicates that Sections 7 and 16 of the Wild and Scenic Rivers Act are unclear on this particular issue, and are subject to contrasting interpretation.

Therefore, we continue to recommend that section 6 of H.R. 476 be amended to specifically authorize the use of structural and non-structural techniques to restore the aquatic habitat and other values along designated rivers where such projects are necessary to correct significant water quality problems, restore aquatic habitat, or correct other ecological degradation caused by past activity, and where the need for such work is identified in the river management plan. The bill should also recognize the importance of evaluating these restoration activities through a comprehensive stream and ecosystem management planning process, in which all outstandingly remarkable values are considered and protected. This would include cumulative affects analyses on the natural geologic and other ecological processes which contribute to the river's free-flowing values.

In summary, the Department of Agriculture supports the overall purpose of H.R. 476 and recommends that the bill be enacted if amended to address our remaining concerns.

Mr. Chairman, that completes my statement. I would be happy to answer your questions.

## SUPPLEMENTAL STATEMENT A

### S. 1743, THE ARKANSAS WILD AND SCENIC RIVERS ACT OF 1991

This supplemental statement follows the general format of S. 1743. In the interest of brevity, it only addresses the sections for which the Department of Agriculture recommends amendments. Material to be deleted is bracketed and material to be inserted is printed in italic. The rationale for the recommended changes follows each amended provision in boldface type.

SEC. 2. WILD, SCENIC, AND RECREATIONAL RIVER DESIGNATIONS.

"(119) BIG PINEY CREEK, ARKANSAS.—The [41.3] *45.2*-mile segment from its origin in section [24] *27*, township [11] *13* north, range [20] *23* west, to the Ozark National Forest boundary, to be administered by the Secretary of Agriculture as a scenic river."

**Correction to legal description of river segment.**

"(121) COSSATOT RIVER, ARKANSAS.—

"(A) The 4.2-mile segment of the main stem from its confluence with Mine Creek to the Caney Creek Wilderness Boundary [in] *on the north section line of* section 13, township 4 south, range 30 west, to be administered by the Secretary of Agriculture as a recreational river.

"(B) The 6.9-mile segment of the main stem from the Caney Creek Wilderness Boundary [in] *on the north section line of* section 13, township 4 south, range 30 west, to the Forest Proclamation Boundary, to be administered by the Secretary of Agriculture as a scenic river.

"(C) The 4.4-mile segment of the Brushy Creek triabutary from its origin in *the southeast ¼ of* section 7, township 4 south, range [27] *30* west, to the Forest Proclamation Boundary, to be administered by the Secretary of Agriculture as a scenic river."

**Corrections to legal description of river segments.**

"(122) HURRICANE CREEK, ARKANSAS.—The 15.5-mile segment from its origin in section [21] *1*, township 13 north, range 21 west, to its confluence with Big Piney Creek, to be administered by the Secretary of Agriculture in the following classes:"

**Correction to legal description of river segment.**

"(122) HURRICANE CREEK, ARKANSAS.—

"(B) The 2.4-mile segment from the western boundary of the private land [inside] *bordering* the Hurricane Creek Wilderness to the Hurricane Creek Wilderness boundary, as a wild river."

**Correction to narrative description of river segment.**

"(123) LITTLE MISSOURI RIVER, ARKANSAS.—

"(A) The 11.3-mile segment from its origin in *the northwest ¼ of* section 32, township 3 south, range 28 west, to the west section line of section 22, township 4 south, range 27 west, as a scenic river.

"(B) The 4.4-mile segment from the southern property line between National Forest System lands and private lands in *the southeast ¼ of* section 28, township 4 south, range 27 west, to the Forest Proclamation Boundary, as a wild river."

**Correction to narrative description of river segment.**

"(126) RICHLAND CREEK, ARKANSAS.—The 16.5-mile segment from its origin in section [27] *35*, township [12] *13* north, range 20 west, to the northern boundary of section 32, township 14 north, range 18 west, to be administered by the Secretary of Agriculture in the following classes:"

**Correction to legal description of river segment.**

"(A) The 7.8-mile segment from its origin in section [27] *35*, township [12] *13* north, range 20 west, to the western boundary of the Richland Creek Wilderness, as a scenic river."

**Correction to legal description of river segment.**

## SUPPLEMENTAL STATEMENT B

### H.R. 476, THE MICHIGAN SCENIC RIVER ACT OF 1991

This supplemental statement follows the general format of H.R. 476. In the interest of brevity, if only addresses the sections for which the Department of Agriculture recommends amendments. Material to be deleted is bracketed and material to be inserted is printed in italic. The rationale for the recommended changes follows each amended provision in boldface type (except for minor grammatical and style edits).

SEC. 3. WILD, SCENIC, AND RECREATIONAL RIVER DESIGNATION.

"( ) ONTONAGON, MICHIGAN.—Segments of certain tributaries, totaling [157.4] *164.9* miles, to be administered by the Secretary of Agriculture as follows:

"(C) The [37] *44.5* mile segment of the Cisco Branch Ontonagon from [its origin at Cisco Lake Dam to its confluence with Ten Mile Creek south of Ewen in the following classes:

"(i) The 10-mile segment from the origin of Cisco Branch Ontonagon at Cisco Lake Dam to the County Road 527 crossing, as a recreational river. (NOTE THAT THE CORRECT MEASUREMENT OF THIS SEGMENT IS 12 MILES, NOT 10 MILES).

"(ii) The 27-mile segment from the Forest Development Road 527 crossing to the confluence of the Cisco Branch and Ten Mile Creek,] *the Forest Development Road 527 crossing to its confluence with the South Branch Ontonagon and down the South*

*Branch Ontonagon to the north section line of section 15, township 47 north, range 40 west, and again resuming at the south section line of section 34, township 49 north, range 40 west, to its confluence with the West Branch Ontonagon,* as a scenic river."

**We do not believe the 12-mile segment we recommend deleting possesses the outstandingly remarkable characteristics necessary for designation. Due to upstream dams, streamflow is very low to non-existent from June through September.**

**We recommend that the remaining segments of the Cisco and south branch of the Ontonagon River within the Ottawa National Forest, *be immediately* designated and not placed in study status. We believe these segments are eligible and suitable.**

"(D) The 15-mile segment of the West Branch Ontonagon from its confluence with Cascade Creek to Victoria Reservoir, in the following classes:

"(ii) The 4.5 mile segment from its confluence with the South Branch Ontonagon to Victoria Reservoir, as a recreation *scenic* river."

**We believe this segment fully possesses the characteristics for scenic classification.**

**Please note the following corrected measurements for the south branch/Cisco branch Ontonagon River System:**

| | *Miles* |
|---|---|
| Cisco Dam to Highway 527 | 12.0 |
| Highway 527 to 10 Mile Creek | 27.0 |
| Ten Mile Creek to Interior Forest Boundary | 5.5 |
| Interior Private Lands ("Donut Hole") | 14.5 |
| Northern Border of Private Lands to West Branch | 11.5 |

"( ) PRESQUE ISLE, MICHIGAN.—Segments of the mainstream and certain tributaries, totaling 57 miles, to be administered by the Secretary of Agriculture as follows:

"(D) The 13-mile segment of the West Branch Presque Isle within the Ottawa National Forest, as a [scenic] *recreational* river."

**We do not believe tht this segment possesses the necessary characteristics for scenic classification, and therefore recommend a recreational classification. The "Presque Isle flowage" dam and wildlife impoundment are in place.**

"( ) STURGEON, OTTAWA NATIONAL FOREST, MICHIGAN.—The 25-mile segment from its entry into the Ottawa National Forest to the northern boundary of the Ottawa National Forest, to be administered by the Secretary of Agriculture in the following classes:

"(B) The 8.5-mile segment from the outlet of Prikett Lake Dam to the northern boundary of the Ottawa National forest, as a [scenic] *recreational* river."

**We do not believe that this segment possesses the necessary characteristics for scenic classification, and there-**

**fore recommend a recreational classification. Flows are low, as regulated by the upstream "Prickett Lake" dam.**

SEC. 4. WILD AND SCENIC RIVER STUDIES.

"( ) ONTONAGON, MICHIGAN—The [32] *14.5* mile segment of the *South Branch* Ontonagon [as follows:

["(A) The 12-mile segment of the West Branch from the Michigan State Highway 28 crossing to Cascade Falls.

["(B) The 20-mile segment of the South Branch from the confluence of the Cisco Branch and Tenmile Creek to the confluence with the West Branch Ontonagon.] *from the north section line of section 15, township 47 north, range 40 west to the south section line of section 34, township 49 north, range 40 west.*

**We believe the west branch, below Lake Gogebic (State Highway 28 crossing) to Cascade Falls does not possess those characteristics necessary for either designation or further study, due to low to non-existent streamflow during much of the summer. We believe that these segments of the south branch withn the national forest are eligible and suitable, for immediate designation.**

(b) STUDY PROVISIONS.—Section 5(b) of such Act (16 U.S.C. 1276(b)) is amended by adding at the end thereof the following new paragraphs:

"(8) The study of segments of the Little Manistee, White, [Paint,] Presque Isle, [Ontonagon], Sturgeon (Hiawatha), [Sturgeon (Ottawa), Whitefish, and Taquamenon Rivers] in Michigan under subsection (a) shall be completed by the Secretary of Agriculture and the report submitted thereon not later than at the end of the third fiscal year beginning after the date of enactment of this paragraph. For purposes of such river studies, the Secretary shall consult with each River Study Committee authorized under section 5 of the Michigan Scenic River Act of 1991, and shall encourage public participation and involvement through hearings, workshops, and such other means as are necessary to be effective."

*"(9) The study of segments of the Carp, Paint, South Branch of the Ontonagon, Sturgeon (Ottawa), Tahquamenon, and Whitefish Rivers in Michigan under subsection (a) shall be completed by the Secretary of Agriculture and the Governor of the State of Michigan and reports submitted thereon not later than at the end of the third fiscal year beginning after the effective of the Federal and State study agreements authorized by this paragraph. The studies shall be undertaken only upon prior agreement between the Secretary and the Governor to: share the costs; to encourage public participation and involvement through hearings, workshops, and other means; to consult with the respective River Study Committees authorized under section 5 of the Michigan Scenic Rivers Act of 1991 and other such terms and conditions as the Secretary and the Governor may jointly agree upon. The studies authorized by this para-*

*graph shall consider designation of all or portions of those rivers described in this paragraph for State or Federal administration, or both, pursuant to sections 2(a)(ii) and 3(a) of this Act."*

**We believe that it is more appropriate for studies of rivers predominatly on private or State lands be cooperatively completed, rather than entirely the responsibility of the Federal Government.**

SEC. 6. MISCELLANEOUS.

*"(c) RIVER RESTORATION.—Notwithstanding any other provision of the Wild and Scenic Rivers Act, the Secretary of Agriculture may authorize water quality and fish aquatic habitat projects within the river segments designated by this act: Provided, That the Secretary shall determine in the river management plan for each designated river that such projects are necessary to correct significant water quality, aquatic habitat or other ecological degradation caused by past human activity: Provided further, That the Secretary shall consider and minimize to the extent practicable the effects, including cumulative effects, of all such projects on the free flowing condition and outstandingly remarkable values of each river.*

**Because of the unique history and physical conditions of some of the Michigan rivers, we believe that H.R. 476 should be amended to clearly authorize the use of structural and non-structural techniques to restore the aquatic habitat and other values within these rivers. This authorization is recommended due to differences in interpretation of the language addressing water resources projects on designated rivers in section 7 of the act and the definitions of "free flowing" in section 16. Our recommended amendment would specifically address cumulative effects assessments and comprehensive stream and ecosytem management, so that the free flowing values, including natural geologic and other ecological processes, continue to be part of these protected natural systems.**

[(e)]*(d)* ACCESS.—*Consistent with the river management plan,* the Secretary shall *endeavor to* maintain traditional public access to the river segments designated by this Act, except that the Secretary, in consultation with the Director of the Michigan Department of Natural Resources, shall provide in the river management plan for each designated river segment for maintenance, closure, relocation, stabilization, improvements, or other appropriate adjustments as may be necessary for the management of such river segments: *Provided, That such activities shall take into account and minimize to the extent practiable negative impacts on the values for which the river segment was designated.*

**Any access activities should be a component of the river management plan and should be protective of the outstandingly remarkable values of the river segment.**

## CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, changes in existing law made by the Act H.R. 476, as ordered reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

## WILD AND SCENIC RIVERS ACT

* * * * * * *

SEC. 3. (a) The following rivers and the land adjacent thereto are hereby designated as components of the national wild and scenic river system:

(1) * * *

*( ) BEAR CREEK, MICHIGAN.—The 6.5-mile segment from Coates Highway to the Manistee River, to be administered by the Secretary of Agriculture as a scenic river.*

*( ) BLACK, MICHIGAN.—The 14-mile segment from the Ottawa National Forest boundary to Lake Superior, to be administered by the Secretary of Agriculture as a scenic river.*

*( ) CARP, MICHIGAN.—The 27.8-mile segment from the west section line of section 30, township 43 north, range 5 west, to Lake Huron, to be administered by the Secretary of Agriculture in the following classes:*

*(A) The 2.3-mile segment from the west section line of section 30, township 43 north, range 5 west, to Forest Development Road 3458 in section 32, township 43 north, range 5 west, as a scenic river.*

*(B) The 6.5-mile segment from the Forest Development Road 3458 in section 32, township 43 north, range 5 west, to Michigan State highway 123, as a scenic river.*

*(C) The 7.5-mile segment from Michigan State highway 123 to one quarter of a mile upstream from Forest Development Road 3119, as a wild river.*

*(D) The 0.5-mile segment from one quarter of a mile upstream of Forest Development Road 3119 to one quarter mile downstream of Forest Development Road 3119, as a scenic river.*

*(E) The 4.9-mile segment from one quarter of a mile downstream of Forest Development Road 3119 to McDonald Rapids, as a wild river.*

*(F) The 6.1-mile segment from McDonald Rapids to Lake Huron, as a recreational river.*

*( ) INDIAN, MICHIGAN.—The 51-mile segment from Hovey Lake to Indian Lake to be administered by the Secretary of Agriculture in the following classes:*

*(A) The 12-mile segment from Hovey Lake to Fish Lake, as a scenic river.*

*(B) The 39-mile segment from Fish Lake to Indian Lake, as a recreational river.*

*( ) MANISTEE, MICHIGAN.—The 26-mile segment from the Michigan DNR boat ramp below Tippy Dam to the Michigan State Highway 55 bridge, to be administered by the Secretary of Agriculture as a recreational river.*

*( ) ONTONAGON, MICHIGAN.—Segments of certain tributaries, totaling 157.4 miles, to be administered by the Secretary of Agriculture as follows:*

*(A) The 46-mile segment of the East Branch Ontonagon from its origin at Spring Lake to the Ottowa National Forest boundary in the following classes:*

*(i) The 20.5-mile segment from its origin at Spring Lake to its confluence with an unnamed stream in section 30, township 48 north, range 37 west, as a recreational river.*

*(ii) The 25.5-mile segment from its confluence with an unnamed stream in section 30, township 48 north, range 37 west, to the Ottawa National Forest boundary, as a wild river.*

*(B) The 59.4-mile segment of the Middle Branch Ontonagon, from its origin at Crooked Lake to the northern boundary of the Ottawa National Forest in the following classes:*

*(i) The 20-mile segment from its origin at Crooked Lake to Burned Dam, as a recreational river.*

*(ii) The 8-mile segment from Burned Dam to Bond Falls Flowage, as a scenic river.*

*(iii) The 8-mile segment from Bond Falls to Agate Falls, as a recreational river.*

*(iv) The 6-mile segment from Agate Falls to Trout Creek, as a scenic river.*

*(v) The 17.4-mile segment from Trout Creek to the northern boundary of the Ottawa National Forest, as a wild river.*

*(C) The 37-mile segment of the Cisco Branch Ontonagon from its origin at Cisco Lake Dam to its confluence with Ten-Mile Creek south of Ewen in the following classes:*

*(i) The 10-mile segment from the origin of Cisco Branch Ontonagon at Cisco Lake Dam to the County Road 527 crossing, as a recreational river.*

*(ii) The 27-mile segment from the Forest Development Road 527 crossing to the confluence of the Cisco Branch and Ten-Mile Creek, as a scenic river.*

*(D) The 15-mile segment of the West Branch Ontonagon from its confluence with Cascade Falls to Victoria Reservoir, in the following classes:*

*(i) The 10.5-mile segment from its confluence with Cascade Falls to its confluence with the South Branch Ontonagon, as a recreational river.*

*(ii) The 4.5-mile segment from its confluence with the South Branch Ontonagon to Victoria Reservoir, as a recreational river.*

***Notwithstanding any limitation contained in this Act, the Secretary is authorized to acquire lands and interests in lands which, as of August 1, 1990, were owned by Upper Peninsula Energy Corporation, and notwithstanding any such limitation, such lands shall be retained and managed by the Secretary as part of the Ottawa National Forest, and those lands so acquired which are within the boundaries of any segment designated under this paragraph shall be retained and managed pursuant to this Act.***

*( ) PAINT, MICHIGAN.—Segments of the mainstream and certain tributaries, totaling 51 miles, to be administered by the Secretary of Agriculture as follows:*

*(A) The six-mile segment of the main stem from the confluence of the North and South Branches Paint to the Ottawa National Forest boundary, as a recreational river.*

*(B) The 17-mile segment of the North Branch Paint from its origin at Mallard Lake to its confluence with the South Branch Paint, as a recreational river.*

*(C) The 28-mile segment of the South Branch Paint from its origin at Paint River Springs to its confluence with the North Branch Paint, as a recreational river.*

*( ) PINE, MICHIGAN.—The 25-mile segment from Lincoln Bridge to the east 1/16th line of section 16, township 21 north, range 13 west, to be administered by the Secretary of Agriculture as a scenic river.*

*( ) PRESQUE ISLE, MICHIGAN.—Segments of the mainstream and certain tributaries, totaling 57 miles, to be administered by the Secretary of Agriculture as follows:*

*(A) The 23-mile segment of the mainstream, from the confluence of the East and West Branches of Presque Isle to Minnewawa Falls, to be classified as follows:*

*(i) The 17-mile segment from the confluence of the East and West Branches Presque Isle to Michigan State Highway 28, as a recreational river.*

*(ii) The 6-mile segment from Michigan State Highway 28 to Minnewawa Falls, as a scenic river.*

*(B) The 14-mile segment of the East Branch Presque Isle within the Ottawa National Forest, as a recreational river.*

*(C) The 7-mile segment of the South Branch Presque Isle within the Ottawa National Forest, as a recreational river.*

*(D) The 13-mile segment of the West Branch Presque Isle within the Ottawa National Forest, as a scenic river.*

*( ) STURGEON, HIAWATHA NATIONAL FOREST, MICHIGAN.—The 43.9-mile segment from the north line of section 26, township 43 north, range 19 west, to Lake Michigan, to be administered by the Secretary of Agriculture in the following classes:*

*(A) The 21.7-mile segment from the north line of section 26, township 43 north, range 19 west, to Forest Highway 13 as a scenic river.*

*(B) The 22.2-mile segment from Forest Highway 13 to Lake Michigan as a recreational river.*

*( ) STURGEON, OTTAWA NATIONAL FOREST, MICHIGAN.—The 25-mile segment from its entry into the Ottawa National Forest to the northern boundary of the Ottawa National Forest, to be administered by the Secretary of Agriculture in the following classes:*

*(A) The 16.5-mile segment from its entry into the Ottawa National Forest to Prickett Lake, as a wild river.*

*(B) The 8.5-mile segment from the outlet of Prickett Lake Dam to the northern boundary of the Ottawa National Forest, as a scenic river.*

*( ) EAST BRANCH OF THE TAHQUAMENON, MICHIGAN.—The 13.2-mile segment from its origin in section 8, township 45 north, range 5*

*west, to the Hiawatha National Forest boundary, to be administered by the Secretary of Agriculture in the following classes:*

*(A) The 10-mile segment from its origin in section 8, township 45 north, range 5 west, to the center of section 20, township 46 north, range 6 west, as a recreational river.*

*(B) The 3.2-mile segment from the center of section 20, township 46 north, range 6 west, to the boundary of the Hiawatha National Forest, as a wild river.*

*( ) WHITEFISH, MICHIGAN.—Segments of the mainstream and certain tributaries, totaling 33.6 miles, to be administered by the Secretary of Agriculture as follows:*

*(A) The 11.1-mile segment of the mainstream from its confluence with the East and West Branches of the Whitefish to Lake Michigan in the following classes:*

*(i) The 9-mile segment from its confluence with the East and West Branches of the Whitefish to the center of section 16, township 41 north, range 21 west, as a scenic river.*

*(ii) The 2.1-mile segment from the center of section 16, township 41 north, range 21 west, to Lake Michigan, as a recreational river.*

*(B) The 15-mile segment of the East Branch Whitefish from the crossing of County Road 003 in section 6, township 44 north, range 20 west, to its confluence with the West Branch Whitefish, as a scenic river.*

*(C) The 7.5-mile segment of the West Branch Whitefish from County Road 444 to its confluence with the East Branch Whitefish, as a scenic river.*

*( ) YELLOW DOG, MICHIGAN.—The 4-mile segment from its origin at the outlet of Bulldog Lake Dam to the boundary of the Ottawa National Forest, to be administered by the Secretary of Agriculture as a wild river.*

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SEC. 5. (a) The following rivers are hereby designated for potential addition to the national wild and scenic rivers system:

(1) * * *

* * * * * * *

*( ) BRULE, MICHIGAN AND WISCONSIN.—The 33-mile segment from Brule Lake in the northeast quarter of section 15, township 41 north, range 13 east, to the National Forest boundary at the southeast quarter of section 31, township 41 north, range 17 east.*

*( ) CARP, MICHIGAN.—The 7.6-mile segment from its origin at the confluence of the outlets of Frenchman Lake and Carp Lake in section 26, township 44 north, range 6 west, to the west section line of section 30, township 43 north, range 5 west.*

*( ) LITTLE MANISTEE, MICHIGAN.—The 42-mile segment within the Huron-Manistee National Forest.*

*( ) WHITE, MICHIGAN.—The 75.4-mile segment within the Huron-Manistee National Forest as follows:*

*(A) The 30.8-mile segment of the main stem from U.S. 31 to the Huron-Manistee National Forest boundary at the north line of section 2, township 13 north, range 15 west, 1.5 miles southwest of Hesperia.*

*(B) The 18.9-mile segment of the South Branch White from the Huron-Manistee National Forest boundary east of Hesperia at the west line of section 22, township 14 north, range 14 west, to Echo Drive, section 6, township 13 north, range 12 west.*

*(C) The 25.7-mile segment of the North Branch White from its confluence with the South Branch White in section 25, township 13 north, range 16 west, to McLaren Lake in section 11, township 14 north, range 15 west.*

*( ) ONTONAGON, MICHIGAN.—The 32-mile segment of the Ontonagon as follows:*

*(A) The 12-mile segment of the West Branch from the Michigan State Highway 28 crossing to Cascade Falls.*

*(B) The 20-mile segment of the South Branch from the confluence of the Cisco Branch and Tenmile Creek to the confluence with the West Branch Ontonagon.*

*( ) PAINT, MICHIGAN.—The 70-mile segment as follows:*

*(A) 34 miles of the mainstream beginning at the eastern boundary of the Ottawa National Forest in section 1, township 44 north, range 35 west, to the city of Crystal Falls.*

*(B) 15 miles of the mainstream of the Net River from its confluence with the east and west branches to its confluence with the mainstream of the Paint River.*

*(C) 15 miles of the east branch of the Net River from its source in section 8, township 47 north, range 32 west, to its confluence with the mainstream of the Net River in section 24, township 46 north, range 34 west.*

*(D) 14 miles of the west branch of the Net River from its source in section 35, township 48 north, range 34 west, to its confluence with the mainstream of the Net River in section 24, township 46 north, range 34 west.*

*( ) PRESQUE ISLE, MICHIGAN.—The 13-mile segment of the mainstream from Minnewawa Falls to Lake Superior.*

*( ) STURGEON, OTTAWA NATIONAL FOREST, MICHIGAN.—The 36-mile segment of the mainstream from the source at Wagner Lake in section 13, township 49 north, range 31 west, to the eastern boundary of the Ottawa National Forest in section 12, township 48 north, range 35 west.*

*( ) STURGEON, HIAWATHA NATIONAL FOREST, MICHIGAN.—The 18.1-mile segment from Sixteen Mile Lake to the north line of section 26, township 43 north, range 19 west.*

*( ) TAHQUAMENON, MICHIGAN.—The 103.5-mile segment as follows—*

*(A) the 90-mile segment of the mainstream beginning at the source in section 21, township 47 north, range 12 west, to the mouth at Whitefish Bay; and*

*(B) the 13.5-mile segment of the east branch from the western boundary of the Hiawatha National Forest in section 19, township 46 north, range 6 west, to its confluence with the mainstream.*

*( ) WHITEFISH, MICHIGAN.—The 26-mile segment of the West Branch Whitefish from its source in section 26, township 46 north, range 23 west, to County Road 444.*

(b)(1) * * *

* * * * * * *

*(11) The study of segments of the Brule, Carp, Little Manistee, White, Paint, Presque Isle, Ontonagon, Sturgeon (Hiawatha), Sturgeon (Ottawa), Whitefish, and Tahquamenon Rivers in Michigan under subsection (a) shall be completed by the Secretary of Agriculture and the report submitted thereon not later than at the end of the third fiscal year beginning after the date of enactment of this paragraph. For purposes of such river studies, the Secretary shall consult with each River Study Committee authorized under section 5 of the Michigan Scenic Rivers Act of 1990, and shall encourage public participation and involvement through hearings, workshops, and such other means as are necessary to be effective.*

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